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Docket No: 4000-0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Blaut et al. **GROUP:** Not yet assigned
SERIAL NO: 10/576,150 **EXAMINER:** Not yet assigned
FILING DATE: April 13, 2006
FOR: METHOD FOR ROUGH-HONING THE PERIPHERAL SURFACE OF A BORE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION

Enclosed please find the English language translation of the International Preliminary Examination Report for International application no. PCT/EP2004/008808 from which priority is claimed for this case.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date below, with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sarah L. Henry
6/26/06
Date

INTERNATIONAL PATENT COOPERATION TREATY

From: INTERNATIONAL SEARCH AUTHORITY

Rec'd NOV 19, 2004
WIPO PCT

<p>To:</p> <p style="text-align: center;">See form PCT/ISA/220</p>	<p>PCT WRITTEN OPINION OF THE INTERNATIONAL SEARCH AUTHORITY (PCT Rule 43bis.1)</p>	
<p>Applicant or Agent file number: See form PCT/ISA/220</p>		<p>Date of mailing (day/month/year)</p>
<p>International file number: PCT/EP2004/008808</p>		<p>International filing date (day/month/year)</p> <p>06.08.2004</p>
<p>Priority date (day/month/year) 14.10.2003</p>		
<p>International Patent Classification (IPC) or national classification plus IPC B24B33/02</p>		
<p>Applicant GEHRING GMBH & CO. KG</p>		

1. This opinion contains information on the following points:
 - Box No. I Basis of opinion
 - Box No. II Priority
 - Box No. III No opinion issued regarding novelty, inventive step, or industrial applicability
 - Box No. IV Lack of unity of invention
 - Box No. V Finding, with supportive reasoning according to Rule 43bis 1(a)(i), regarding novelty, inventive step, and industrial applicability
 - Box No. VI Specific documents cited
 - Box No. VII Specific flaws in international application
 - Box No. VIII Specific comments on international application

2. FURTHER ACTION

If a request for international preliminary examination is made, this opinion will be deemed to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Search Authority will not be so recognized.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written response together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

<p>Name and mailing address of International Search Authority</p> <p>European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk, Netherlands Tel. +31 70 340-2040 Tx: 31 651 epo nl Fax: +31 70 340-3061</p>	<p>Authorized officer</p> <p>D. Eschbach</p> <p style="text-align: right;">[seal]</p> <p>Tel. +31 70 340-3257</p>
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**WRITTEN OPINION OF
INTERNATIONAL SEARCH AUTHORITY**

International Application No.
PCT/EP2004/008808

Box No. I Basis of this opinion

1. With regard to **language**, this opinion was written on the basis of the international application in the language in which it was filed, unless otherwise stated in this section.
 - The examination report was written on the basis of a translation from the original language into the following language, which is the language of the translation furnished for the purpose of the international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion was written on the basis of:
 - a. type of material
 - sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - on paper
 - in electronic form
 - c. time of filing
 - contained in the international application as filed
 - filed in electronic form together with the international application
 - filed subsequently with this Authority for the purpose of the search
3. In addition, in the event that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF
INTERNATIONAL SEARCH AUTHORITY**

International Application No.
PCT/EP2004/008808

Box No. II Priority

1. The following document has not yet been filed:
 - Copy of earlier application whose priority was claimed (Rules 43bis1 and 66.7(a))
 - Translation of earlier application whose priority was claimed (Rules 43bis1 and 66.7(b)).
 For this reason, it was not possible to examine the validity of the claim to priority. However, the examination report was prepared on the assumption that the claimed priority date is the decisive date.
2. This examination report was prepared without regard to the claimed priority, as the priority claim has been shown to be invalid (Rules 43bis 1 and 64.1). For the purpose of this examination report, the above-identified international application date is therefore deemed to be the decisive date.
3. It was not possible to examine the validity of the priority claim, as the International Search Authority did not have a copy of the priority document at the time of the search (Rule 17.1). This examination report was therefore prepared on the assumption that the claimed priority date is the date relevant for examination.

4. Additional comments:

Box No. V Finding, with supportive reasoning according to Rule 43bis 1(a)(i), regarding novelty, inventive step, and industrial applicability; documents and explanations in support of this finding

1. Findings

Novelty	Yes: Claims 2-5
	No: Claims 1
Inventive step	Yes: Claims
	No: Claims 1-5
Industrial applicability	Yes: Claims 1-5
	No: Claims:

2. Citations and explanations

See attachment

**WRITTEN OPINION OF
INTERNATIONAL SEARCH AUTHORITY**

International Application No.
PCT/EP2004/008808

Re Point V.

- 1 Reference is made to the following document in this examination report:
D1: US 4,254,591 A (Julius P. Sedgwick et al.), March 10, 1981 (1981-03-10)

- 2 **INDEPENDENT CLAIM 1**

The present application does not meet the requirements of PCT Article 33(1) because the subject of Claim 1 is not novel as defined by PCT Article 33(2).

Document D1 discloses (numerals in parentheses refer to this document):

A method for honing the cylindrical surface of a hole (65) with a honing tool (10) having honing strips (28, 29, 44) on an attached working spindle (12), whose longitudinal axis (68) is inserted eccentrically into the hole (65) with an offset relative to the longitudinal axis (69) of the hole before honing and, during the honing operation, material in the hole (65) is removed in such fashion that the longitudinal axis (69) of the hole (65) is displaced until any excursion that may have occurred has been eliminated and the longitudinal axis (69) of the hole is coaxial with the longitudinal axis (68) of the working spindle (12), the cylindrical surface subsequently being honed uniformly by full-section honing in the coaxial position of the longitudinal axes (68, 69) (see in particular column 4, lines 26 to 51 and Figure 9).

3. **DEPENDENT CLAIMS 2-5**

The dependent claims 2-5 do not appear to contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements with respect to inventive step as these features were already published and/or proposed in D1.

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File 4000-0002

VERIFICATION OF TRANSLATION

I hereby declare and state that I am knowledgeable of each of the German and English languages and that I made and reviewed the attached translation of an International Preliminary Examination Report, international reference number PCT/EP2004/008808, from the German language into the English language, and that I believe my attached translation to be accurate, true, and correct to the best of my knowledge and ability.

Date: June 8, 2006



Isabel A. Leonard
Translator